

01 ACQUISITION PLAN STRATEGY AND GUIDANCE

NOTE: The process provided below is not intended to replace an agency’s acquisition planning requirements.

INSTRUCTIONS

1. Work with your DOE Federal Finance Specialist to determine whether a “pay from savings” project is feasible.
 - a. Determine if appropriated dollars are available to offset some of the costs.
 - b. Consider alternative finance options: Energy Savings Performance Contract (ESPC), Utility Energy Service Contract (UESC), Power Purchase Agreement (PPA), or Enhanced Use Lease (EUL)

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2. Educate agency staff about ESPCs.
3. Identify required approval points of contact.

4. Develop support within the agency to execute the project in a timely manner.
5. Establish an Acquisition Team; include all possible interested parties (follow DOE FEMP guidance).
6. Discuss project goals:
 - a. Consider the facility's energy use and greenhouse gas reduction goals in accordance with Executive Orders 13423 and 13514.
 - b. Make any future plans to change the facility's mission or to increase or reduce personnel or buildings available for review.
 - c. Collect information on the condition of the facility's equipment. Pay special attention to equipment which may need to be repaired or replaced and ensure documentation.
 - d. Obtain facility utility costs and be prepared to provide information for a Renewable Energy Screening and data for the Notice of Opportunity (NOO).
7. Plan to use the services of a DOE Project Facilitator when considering a DOE Indefinite delivery/indefinite quantity (IDIQ) contract. Contact your region's Federal Finance Specialist for guidance.
8. Design a method for evaluating and selecting an energy service company (ESCO).
9. Use task order award procedures provided in section H.3 of the DOE Super ESPC IDIQ contract.
10. Consult the National Defense Authorization Act of 2011 for IDIQ contractor selection procedures.
11. Prepare an Executive Summary of the project or similar agency document to initiate coordination with key agency staff members.
12. Construct and maintain an appropriate ESPC contract folder with tabs for quick access to pertinent information and future reference.
13. Establish a procurement timeline.

PLANNING

1. Following the Preliminary Assessment review in which it has been established that your facility has a valid, energy and cost savings guarantee, prepare the Acquisition Plan in accordance with agency requirements.
2. Note that the Acquisition Plan may be amended following an Investment Grade Audit (IGA) and before the Final Proposal.
3. Include as much data from the NOO as applicable.
4. Reference ESPC-specific legislation.
5. While the DOE IDIQ awardees are not small businesses, each project must have a Small Business Subcontracting Plan. Consult the agency's Small Business Advocate.

6. Establish project and procurement milestones in accordance with the procurement timeline (may be adjusted when and if required).

ESPC-RELATED POINTERS FOR ACQUISITION PLAN

Section 1: Provide Basic Information

- Division
- Purchase Program Number (from Requirements Document)
- Performance Period (may be unknown at this point)
- RFQ/RFP number

Section 2: Identify Contract Type (i.e., firm-fixed price)

Section 3: Establish Goals

- Small Business: Coordinate with your Small and Disadvantaged Business Utilization (SADBU) office to establish site-specific requirements and small business goals.
- A site-specific subcontracting plan is required.

Section 4: Review Requirements Being Met, Process, and Value of the Project to the Government

- Discuss energy conservation measures (ECMs) from Requirements document and supporting legislation
- Describe:
 - ESPC process
 - Performance contract
 - Risk assessment, using description of guaranteed savings versus contractor payments
 - Competition method/contractor selection
 - Third-party financing

Section 5: Project Management Documentation

- Wage determinations:
 - Davis Bacon for construction period
 - Service Contract Act for Performance Period
- Milestones (establish after kick-off meeting)
- Coordination list (identify the Acquisition Team, including all Divisions and any Headquarters staff required)

Signature blocks for final approval

NOTE: This does not represent any agency's full acquisition plan, but is provided for purposes of discussion.